

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
DOI-BLM-CO-SO50-2015-0032 CX**

March, 2015

Preference Transfer
J S Chimney Peak Ranch LLC. to JBARM Inc.

Location: Ridgway, Colorado

**U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401
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CATEGORICAL EXCLUSION

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PROJECT NAME: Preference Transfer J S Chimney Peak Ranch LLC. to JBARM Inc.

LEGAL DESCRIPTION: T45N, R7W, Sec 8 & 17 NMPM

APPLICANT: JBARM Inc.

BACKGROUND: Grazing preference and base property for the Cow Creek Allotment #05566 was held by J.S. Chimney Ranch LLC. The BLM received an application from JMAC Inc., for the transfer of grazing preference on Cow Creek allotment # 05566 based on changes in ownership of the base property. During the transfer process JMAC Inc. then went through a name change and deeded the base property to JBARM Inc.

The transfer of grazing preference is considered administrative in nature and serves to transfer livestock grazing privileges, with the same class of livestock and forage allocation, from one grazing preference holder to another. Approval of grazing preference transfers are outlined in 43 CFR 4110.2-1(d) and 4110.2-3.

DESCRIPTION OF PROPOSED ACTION:

The proposed action is to transfer grazing preference from J.S. Chimney Ranch LLC to JMAC Inc., which in the process changed the deeded name to JBARM Inc. This grazing preference transfer is the result of changes in control of the base properties associated with the allotment. The JBARM Inc. is a qualified applicant.

The grazing allotment involved and the associated grazing preference and season of use are summarized in the table below. The proposed action is compliant with 43 CFR 4110.2-1(d) and 4110.2-3.

Allotment Name & No.	Percent Public Land	Active AUM's	Suspended AUM's	Permitted AUM's	Permitted Season of Use
Cow Creek #05566	100	70	35	105	6/10 – 07-01

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

LUP Name: Uncompahgre Basin Resource Management Plan and Record of Decision

Date Approved: 1989

Decision Number/Page: 15

Decision Language: Chapter 2, Management Decisions, page 15, Livestock grazing will continue at current forage allocation levels and seasons of use unless studies determine adjustment are needed.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a Categorical Exclusion under 516 DM 11.9, Number D.1, which allows "approval of transfers of grazing preference". This is the administrative approval of grazing preference transfer applications.

None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant adverse effects on public health and safety.	_____	<u> X </u>
2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.	_____	<u> X </u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	_____	<u> X </u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	<u> X </u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	<u> X </u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	_____	<u> X </u>
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places.	_____	<u> X </u>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.	_____	_____
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	_____	<u> X </u>
10. Have disproportionately high and adverse effect on low income or	_____	_____

- minority populations. _____ X
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. _____ X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. _____ X

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>
Glade Hadden	Archeologist
Melissa Siders	Wildlife Biologist

REMARKS:

Cultural Resources: There are no known Cultural Resource concerns for this project. Inventory is not required under the provision of BLM Manual 8110.23B4 and the 2014 BLM/Colorado State Protocol.

Native American Religious Concerns: There are none known or anticipated for this undertaking.

Threatened and Endangered Species: Transfer of grazing preference will have no direct or indirect impact. This action is an administrative action to transfer base property on the permit. The Cow Creek allotment contains mapped potential habitat (denning/wintering) for the threatened Canada lynx (Chimney Rock LAU). This habitat was evaluated during the 2008 grazing permit renewal process. The proposed action was found to have no effect on Canada lynx¹. While the action of transferring the permit does not impact lynx, the action of livestock grazing may have affects. At the time of renewal, this will be reevaluated, and if needed, consultation with USFWS will be conducted and appropriate conservation measures will be added to the term permit upon full processing of the permit.

NAME OF PREPARER: Lynae Rogers

NAME OF ENVIRONMENTAL COORDINATOR: Jedd Sondergard

DATE: 3/6/15

DECISION AND RATIONALE:

I have reviewed this Categorical Exclusion and have decided to approve the administrative transfer of grazing preference from J S Chimney Peak Ranch LLC to JBARM Inc.

¹ Pg 25 in BLM. 2008. 2008-16 EA Colona LHA Grazing Permit Renewals

There are no impacts to public land since the transfer action only results in a transfer of grazing preference. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Section: D, Range Management, Number 1, which allows "approval of transfers of grazing preference". I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: _____



Barbara Sharrow
Field Manager
Uncompahgre Field Office

DATE SIGNED: _____

3-24-15



